

BEFORE THE INVESTIGATIVE PANEL OF THE
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE NO. 09-01
RE: JUDGE N. JAMES TURNER

NOTICE OF AMENDED FORMAL CHARGES

To: Honorable N. James Turner
Osceola County Historical Courthouse
2 Courthouse Square
Kissimmee, Florida 34741

You are hereby notified that an Investigative Panel of the Florida Judicial Qualifications Commission, by a vote of the majority of its members determined pursuant to Rule 6(f) of the Rules of the Florida Judicial Qualifications Commission, as revised, and Article V, § 12(b) of the Constitution of the State of Florida, that probable cause exists for formal proceedings to be, and the same are hereby instituted against you to inquire into charges that during your 2008 election campaign for the judgeship you now occupy (the campaign), you engaged in improper conduct in that:

1. During the campaign, you knowingly participated in partisan political activity by purposefully campaigning as a member of a partisan political party, including identifying yourself to voters as a member of a partisan political party at the Fila Mitchell Library in Orlando, Florida on or about November 1, 2008, in violation of Fla. Stat. §§105.071(1), 105.071(2), 105.071(3) and Canons, 7A(3)(a) and 7A(3)(b) of the Code of Judicial Conduct.

2. During the campaign, you knowingly participated in partisan political activity by your own actions and by permitting your campaign workers to simultaneously promote and campaign for your election and the election of other political candidates as if you were running together on a partisan ticket, including doing so in Orlando, Florida on or about October 20, 2008 during early voting and on November 1, 2008 (election day) in violation of Fla. Stat. §§105.071(1), 105.071(2), 105.071(4) and Canons 7A(1)(b), 7A(3)(a), 7A(3)(b) and 7A(3)(c).

3. During the campaign, you knowingly participated in partisan political activity by publicly voicing support for a partisan political candidate for the Sheriff of Orange County, Florida at a AFL-CIO candidate forum you attended in Orange County, Florida on or about May 14, 2008, in violation of Fla. Stat. §§105.071(1), 105.071(4) and Canons 7A(1)(b), 7A(3)(a) and 7A(3)(b) of the Code of Judicial Conduct.

4. During the campaign, you knowingly engaged in partisan political activity by campaigning on behalf of other partisan political candidates by promoting, on September 19, 2008, the attendance of others at a partisan political event, specifically an Obama/Biden fundraiser at which the sister of Democratic Vice Presidential Candidate Joseph Biden was scheduled to appear on September 20, 2008, in violation of Fla. Stat. §§105.071(1), 105.071(4) and Canons 7A(1)(b), 7A(1)(e), 7A(3)(a) and 7A(3)(b) of the Code of Judicial Conduct. A true and correct copy of

an e-mail from you to various “friends” dated September 19, 2008 promoting and encouraging their attendance at the foregoing partisan political event is attached hereto as Exhibit A.

5. During the campaign, you knowingly personally solicited contributions for your campaign, including doing so in writing on or about August 27, 2008, in violation of Canons 7A(3)(a), 7A(3)(b) and 7C(1) of the Code of Judicial Conduct. A true and correct copy of correspondence from you to “friends, voters and colleagues” dated August 27, 2008 personally soliciting monetary contributions to your campaign is attached hereto as Exhibit B.

6. During the campaign, you knowingly participated in partisan political activity by purposefully attending partisan political functions where you knew you would be identified as a candidate for judge closely associated with a partisan political party, conduct you knew appeared to suggest your support of that party and its candidates, including attending the Orange County Jefferson Jackson Gala on or about September 14, 2008, a partisan political party fundraiser to which your opponent was not invited, and by attending a partisan political celebration in Orange County, Florida immediately following the primary election which celebrated the nomination of Barack Obama as the Democratic Party’s candidate for President of the United States, to which your opponent was not invited, in violation of Fla. Stat. §§105.071(1), 105.071(2), 105.071(3) and Canons 7A(3)(a), 7A(3)(b) and 7C(3) of

the Code of Judicial Conduct.

These acts, if they occurred as alleged, would also impair the confidence of the citizens of this state in the integrity of the judicial system and in you as a judge, would constitute a violation of the cited Florida Statutes and Canons of the Code of Judicial Conduct, would constitute conduct unbecoming a member of the judiciary, would demonstrate your unfitness to hold the office of judge, and would warrant discipline, including but not limited to your removal from office and/or any other appropriate discipline recommended by the Florida Judicial Qualifications Commission.

You are hereby notified of your right to file a written answer to the above charges made against you within twenty (20) days of service of this notice upon you.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the Honorable N. James Turner at the Osceola County Historical Courthouse, 2 Courthouse Square, Kissimmee, Florida 34741, via Certified Mail # _____ on this ____ day of _____, 2009.

Brooke Kennerly
Executive Director
Judicial Qualifications Commission
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